



Docket No.: ISIS0063-100 (ISPH-0618)

PATENT-DRAFT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: **Karras and Koller**

Confirmation No. 1531

Serial No.: 10/001,863

Group Art Unit: 1635

Filed: November 19, 2001

Examiner: **Epps Ford, Janet**

Title: **Antisense Modulation of Toll-Like Receptor 4 Expression**

I certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

On

Dec 9/04

[Signature]
Quan L. Nguyen, Reg. No. 46,957

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

COMMUNICATION

Attached is Applicants' executed Declaration under 37 CFR §1.131, an unexecuted version of which was filed November 11, 2004 in response to the Office Action dated July 29, 2004.

Applicants believes this application is in condition for allowance and an early Notice of Allowance is therefore earnestly solicited. Applicants invites the Examiner to contact the undersigned at (215) 665-2158 to clarify any unresolved issues raised by this response.

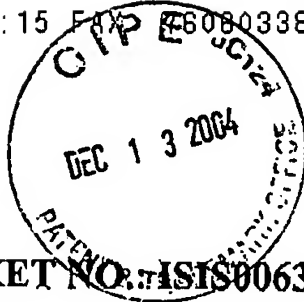
Respectfully submitted,

Date:

Dec 9/04

COZEN O'CONNOR
1900 Market Street
Philadelphia, PA 19103-3508

[Signature]
Quan L. Nguyen
Registration No. 46,957

**DOCKET NO.: ISIS0063-100 (ISPH-0618)****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re application of: **Karras and Koller**Serial No.: **10/001,863**Group Art Unit: **1635**Filed: **November 19, 2001**Examiner: **Epps Ford, Janet**Title: **Antisense Modulation of Toll-Like Receptor 4 Expression**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

DECLARATION UNDER 37 CFR §1.131

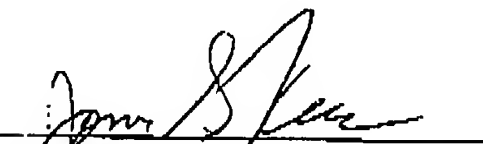
We, James Karras and Erich Koller do hereby declare as follows:

1. We are named co-inventors of U.S. application Serial Number 10/001,863 filed November 19, 2001 entitled "Antisense Modulation of Toll-Like Receptor 4 Expression."
2. We collaborated on the experimental work described in this Declaration and attached Exhibit A, which is a true copy of oligonucleotide synthesis records of ISIS Pharmaceuticals, Inc., except that any dates have been redacted.
3. All of the work described in this Declaration and attached Exhibit A were conducted in the United States before December 21, 2000, the publication date of Lorenz et al., WO 00/77204 A1 (hereinafter the "Lorenz reference").
4. Exhibit A shows that we requested the synthesis of modified oligonucleotides that can inhibit the expression of Toll-like receptor (SEQ ID NO: 3) prior to December 21, 2000, the publication date of the Lorenz reference. These same oligonucleotides are identified in our


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present application (U.S. Serial No. 10/001,863) at page 81 and 82 (Table 1) as examples of oligonucleotides that can inhibit the expression of Toll-like receptor (SEQ ID NO: 3). Thus, we were in possession of the modified oligonucleotides that can inhibit the expression of Toll-like receptor (SEQ ID NO: 3) prior to the publication date of the Lorenz reference.

5. We declare that all statements made herein are of our own knowledge are true and statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

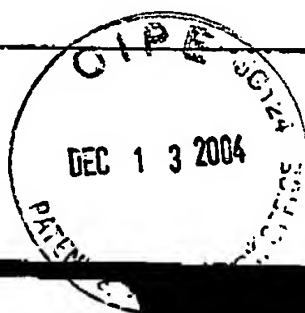

James Karras

12/2/04
Date


Erich Koller

12-2-04
Date

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RESEARCH INFORMATICS

[HOW TO....](#) [BIRD QUICK QUERIES](#) [SEQUENCE SEARCHES](#) [APPLICATIONS](#) [DOCUMENTATION](#) [LINKS & TOOLS](#) [CONTACT US](#)

Complete Order History Current Order Info

ISIS Number	Lot #	OrderID	Ordered By	Order Date	Amount Ordered	Syn #	Syn Status	Template #	Type	Barcode	Well	Synthesis Location
114625	1	100755	JKARRAS		0.20 (UMOL)	1	P					PVILLIET
114626	1	100755	JKARRAS		0.20 (UMOL)	1	P					PVILLIET
114627	1	100755	JKARRAS		0.20 (UMOL)	1	P					PVILLIET
114628	1	100755	JKARRAS		0.20 (UMOL)	1	P					PVILLIET
114629	1	100755	JKARRAS		0.20 (UMOL)	1	P					PVILLIET
114630	1	100755	JKARRAS		0.20 (UMOL)	1	P					PVILLIET
114631	1	100755	JKARRAS		0.20 (UMOL)	1	P					PVILLIET
114632	1	100755	JKARRAS		0.20 (UMOL)	1	P					PVILLIET
114633	1	100755	JKARRAS		0.20 (UMOL)	1	P					PVILLIET
114634	1	100755	JKARRAS		0.20 (UMOL)	1	P					PVILLIET
114635	1	100755	JKARRAS		0.20 (UMOL)	1	P					PVILLIET
114636	1	100755	JKARRAS		0.20 (UMOL)	1	P					PVILLIET
114637	1	100755	JKARRAS		0.20 (UMOL)	1	P					PVILLIET
114638	1	100755	JKARRAS		0.20 (UMOL)	1	P					PVILLIET
114639	1	100755	JKARRAS		0.20 (UMOL)	1	P					PVILLIET
114640	1	100755	JKARRAS		0.20 (UMOL)	1	P					PVILLIET
114641	1	100755	JKARRAS		0.20 (UMOL)	1	P					PVILLIET

Exh. A.

Oligo Order Details

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114642	1	100755	JKARRAS [REDACTED]	(UMOL)	1	P	PVILLIET
114643	1	100755	JKARRAS [REDACTED]	0.20 (UMOL)	1	P	PVILLIET
114644	1	100755	JKARRAS [REDACTED]	0.20 (UMOL)	1	P	PVILLIET
114645	1	100755	JKARRAS [REDACTED]	0.20 (UMOL)	1	P	PVILLIET
114646	1	100755	JKARRAS [REDACTED]	0.20 (UMOL)	1	P	PVILLIET
114647	1	100755	JKARRAS [REDACTED]	0.20 (UMOL)	1	P	PVILLIET
114648	1	100755	JKARRAS [REDACTED]	0.20 (UMOL)	1	P	PVILLIET
114649	1	100755	JKARRAS [REDACTED]	0.20 (UMOL)	1	P	PVILLIET
114650	1	100755	JKARRAS [REDACTED]	0.20 (UMOL)	1	P	PVILLIET
114651	1	100755	JKARRAS [REDACTED]	0.20 (UMOL)	1	P	PVILLIET
114652	1	100755	JKARRAS [REDACTED]	0.20 (UMOL)	1	P	PVILLIET
114653	1	100755	JKARRAS [REDACTED]	0.20 (UMOL)	1	P	PVILLIET
114654	1	100755	JKARRAS [REDACTED]	0.20 (UMOL)	1	P	PVILLIET

Status Code Key

Status Code	Description
AV	Available
C	Cancelled
CBIS	Imported from CBIS database
D	Delivered
F	Fail
P	Pass
Q ; Plate_Queue	Queued for synthesis
R	Requeued
S	Synthesis
U	Undetermined